

FILING CHECKLIST

RESIDENTIAL EVICTION FOR NON-PAYMENT OF RENT

(POSSESSION ONLY)

STEP ONE – FILE CASE WITH CLERK

To file an Eviction case, you may file the following forms along with the filing fee and any service fees, if applicable, with the Clerk's office.

- _____ Complaint for Eviction with attached copy of the written lease agreement, if any, and Notice to Pay Rent
- _____ Civil Cover Sheet
- _____ Authorization of Property Manager – Only provide if you are a property manager filing a complaint on behalf of a landlord
- _____ Summons on Claim for Possession of Residential Premises – Must include Spanish and French translations
(1) Original and (1) copy for each Defendant to be served*

**If you anticipate posting, per Florida Statute 48.183, the landlord must provide an additional copy of the complaint, summons and a pre-addressed stamped envelope for mailing to each Defendant*

STEP TWO – OBTAIN JUDGMENT

5 days (excluding weekends and legal holidays) after service on the Defendant(s) and the defendant(s):

DID NOT respond OR deposit money into the registry of the court, you may file the following forms:

- _____ Nonmilitary Affidavit – Must be submitted per Local Rule 5(D) in order to obtain a Clerk's Default
- _____ Motion for Clerk's Default – Residential Eviction
- _____ Motion for Default Final Judgment – Residential Eviction
- _____ Final Judgment – Residential Eviction – (1) Original and (1) copy for each Plaintiff and Defendant along with pre-addressed stamped envelopes for each party

OR

DID respond, but DID NOT deposit any money into the registry of the court, you may file the following forms:

- _____ Motion for Court's Default – Residential Eviction

- _____ Motion for Default Final Judgment – Residential Eviction
- _____ Final Judgment – Residential Eviction – (1) Original and (1) copy for each Plaintiff and Defendant along with a pre-addressed stamped envelopes for each party

OR

DID respond AND deposited money into the registry of the court OR DID respond AND filed a Motion to Determine Amount of Rent, you may file the following forms:

- _____ Motion/Order to Set Cause for Non-Jury Trial – Final Judgment – (1) original and (1) copy for each Plaintiff and Defendant along with pre-addressed stamped envelopes for each party
- _____ Final Judgment – Residential Eviction – Bring the Final Judgment and (1) copy for each Plaintiff and Defendant to the hearing along with pre-addressed stamped envelopes for each party

Note – In some cases the Judge assigned to your case may require that you submit a Nonmilitary Affidavit prior to signing the Final Judgment.

If the Judge grants your complaint, a Final Judgment will be signed.

STEP THREE – OBTAIN WRIT OF POSSESSION

If the Defendant(s) refuse to leave the property after the Final Judgment has been signed, you may file a Writ of Possession and have it issued by the Clerk, allowing the Sheriff's Department to remove them from the property.

_____ Writ of Possession

Payment Options for Writ of Possession:

- \$90.00 Check or money order payable to the Pinellas County Sheriff's Office
 - Submitted to the Clerk along with the Writ of Possession
- \$90.00 Credit or Debit payment – PLC #8384 (\$3.00 service fee applies)
 - online at www.GovPayNow.com
 - by phone at 1-888-604-7888

Additional Forms, if applicable

_____ Motion and Order to Disburse Funds from Registry of the Court

This form should only be used if any funds were deposited into the Registry of the Court and you would like to have it disbursed to you.

_____ Disclosure form Nonlawyer

This form should only be used if a nonlawyer assists you in completing any forms. The nonlawyer must complete the Disclosure form and both of you are to sign it prior to the nonlawyer assisting you with any forms.

_____ Notice of Voluntary Dismissals

If you decide not to proceed with your case prior to a judgment being entered, you should file a Notice of Voluntary Dismissal

_____ Notice from Landlord of Intent to Impose Claim on Security Deposit

Pursuant to F.S. 83.49(3)(a), you must return a tenant's security deposit to the tenant no more than 15 days after the tenant leaves the leased property. You may claim all or a portion of the security deposit only after giving the tenant written notice by certified mail to the tenant's last known mailing address of your intention to keep the deposit and the reason for keeping it. If the tenant does not object to the notice, you may keep the amount stated in the notice and must send the rest of the deposit to the tenant within 30 days after the date of the notice.

THIS DOES NOT CONSTITUTE LEGAL ADVICE. Civil court information and forms provided by the Pinellas County Clerk of the Circuit Court should be considered informational only, and may not be applicable in every situation. The information is not intended to be used as legal advice. Specific guidance as to how to proceed with filing or answering a lawsuit and questions about your particular situation should be directed to a qualified attorney.